

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

REMARKS/ARGUMENTS

Claims 1-22 were presented for examination and are pending in this application. In an Official Office Action dated April 26, 2005, claims 1-22 were rejected. The Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below.

Applicants herein amend claims 1-12, 15, and 17. Claim 16 is canceled without prejudice and no new claims are presently added. These changes are believed not to introduce new matter, and their entry is respectfully requested.

The claims have been amended to expedite the prosecution of the application. In making this amendment, Applicants have not and do not narrow the scope of the protection to which the Applicants consider the claimed invention to be entitled and do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seek to pursue protection for the subject matter presented in this submission.

Based on the above amendment and the following remarks, Applicants respectfully request that Examiner reconsider all outstanding rejections and withdraw them.

I. Claim Rejection under 35 U.S.C. §112

Claim 2 was rejected by the Examiner under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Examiner cites that the phrase "the at least one intermediary server" has insufficient antecedent basis. Claim 2 as amended now reads "the

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

at least one intermediary computer." The Applicants submit this phrase has sufficient antecedent basis stemming from claim 1.

The Applicants thank the Examiner for his comments and respectfully submit that claim 2 now particularly points out and distinctly claims the subject matter which the Applicants regard as the invention. The Applicants request the rejection be withdrawn.

I. Rejections under 35 U.S.C. §102

Claims 1, 2, 12, and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by Bickmore et al. "Web Page Filtering and Re-Authoring for Mobile Users, 1999 ("Bickmore et al."). Claims 1, 17, and 22 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,626,957 ("Lippert et al."). Claims 1 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by GB 2344197 ("Carlino"). Applicants respectfully traverse these rejections in light of the following remarks and respectfully request reconsideration.

MPEP §2131 provides:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053(Fed. Cir.1987). "The identical invention must be shown in as complete detail as contained in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

The claims as currently amended recite features lacking in the applied reference. For example, independent claim 1 now recites, among other things, "reformatting the request/response traffic at least once in at least one

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

intermediary computer between the first and second computer, wherein reformatting comprises, resolving links within the request/response traffic to identify network resources pointed to by the links, retrieving resources pointed to by the links, embedding resources pointed to by the links in-line with other data in the request/response traffic, and forwarding the request/response traffic after embedding."

By the Examiner's own admission, the references cited by the Examiner do not disclose each and every element of claim 1 as currently amended. See USPTO Communication dated April 26, 2005, pg. 7. Specifically, neither Bickmore et al., Lippert et al., nor Carlino disclose resolving links within request/response traffic to identify resources pointed to by the links, retrieving resources pointed to by the links, embedding resources pointed to by the links in-line with other data in the request/response traffic, and forwarding the request/response traffic after embedding. Accordingly, the Applicants respectfully request the rejections of claim 1 be withdrawn. Claims 2-15 depend from claim 1 and are for at least the same reasons not anticipated by Bickmore et al., Lippert et al., or Carlino. The Applicants request their rejections be withdrawn.

With respect to claim 17, Lippert et al. appears to relate to markup language content and content mapping. Lippert et al. fails to discloses the claimed limitation of an intermediary computer component that resolves links within the data content and identifies resources that are pointed to by the links, retrieves the resources pointed to by the link, embeds the resources in line with the other data traffic and forwards the data traffic after embedding. Accordingly, the Applicants respectfully request the rejection be withdrawn. Claim 22 depends from claim 17 and for at least the same reasons mentioned above is not anticipated by Lippert et al. The Applicants request the rejection of claim 22 be withdrawn.

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

II. 35 U.S.C. §103(a) Obviousness Rejection of Claims

Claims 3-11 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bickmore et al. Claim 18-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lippert et al. Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Carlino. Claim 16 has been canceled without prejudice and the limitations of claim 16 incorporated into claim 1. To expedite the prosecution of this matter, the rejection of claim 16 under 35 U.S.C. §103(a) is addressed below.

MPEP §2143 provides:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

With respect to the limitations presented in claim 16 (now canceled), the Examiner admits that "Bickmore does not disclose resolving links within the request/response traffic to identify network resources pointed to by the links; retrieving resources pointed to by the links; embedding resources pointed to by the links in line with other data in the request/response traffic; and forwarding the request/response traffic after embedding." To compensate for this deficiency the Examiner looks to sections 3.3.4 and 3.4.3.3 of Bickmore et al. and equates Bickmore's description of "current context" to the Applicant's invention. The two concepts are dramatically different.

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

Bickmore et al. appears to recognize in section 3.3.4 that handheld devices and cellular phones using HDML have limited navigation ability and limited ability to support images and embedded links. The Digester taught in Bickmore et al. transforms HTML to a sequence of HDML pages. Due to the small size and capability of cellular phones and handheld devices Bickmore et al. implements a filtering procedure. See Bickmore section 3.3.4.

Bickmore's Digester's approach to filtering is disclosed in section 3.4.2. Bickmore et al. appears to teach a filter script that will "load a target web page, traverse to particular locations with the page (described structurally and/or by regular expressions), extract the content found at those locations and then send it through the re-authoring system to be properly formatted before being returned to the user." Bickmore et al. section 3.4.2.

Bickmore et al. uses this filtering model to navigate web pages as disclosed in section 3.4.3 called "current context." "The current context is analogous to a 'cursor' in database programming in that it refers to a location within the document. In actuality, the current context refers to a node in the HTML parse tree and the navigation commands serve to move this reference around within the tree until a desired part of the page is found, at which time it can be extracted." Id. The Examiner cites section 3.4.3 third paragraph as disclosing that navigation within a web page based on current content [sic] teaches or suggest the Applicant's invention. The Examiner is mistaken.

The navigation that Bickmore et al. teaches is navigation among filtered nodes of a web page. Bickmore et al. does not teach or suggest resolving links within request/response traffic to identify network resources pointed to by the links, retrieving resources pointed to by the links, and embedding resources pointed to by the links in-line with other data. Bickmore et al. seems to suggest in section 3.4.4 that these simple navigation commands can be used to navigate among linked web pages using, for example, a "go FIRST

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

LINKEDPAGE" command. Such a command "moves to the first hyperlink within the current context, loads the referenced page and moves the current context to the root of its AST." Id. Bickmore et al. teaches a means to go to a linked page. Bickmore et al. does not teach or suggest retrieving resources pointed to by a link and embedding them in-line with other data as is claimed by the Applicants' invention.

"The prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 2143. Bickmore et al. fails to teach or suggest at least one of the claimed limitations recited in claim 16 which have been herein incorporated into amended claim 1. Accordingly, the Applicants submit that claim 1, as currently amended, is not unpatentable under 35 U.S.C §103(a) over Bickmore et al. and is presently in condition for allowance. Claims 3-11 depend from claim 1 and are for at least the same reasons patentable over Bickmore et al. The Applicants respectfully request the rejections of claims 3-11 be withdrawn.

Lippert et al. and Carlino also fail to teach or suggest resolving links within the request/response traffic to identify network resources pointed to by the links, retrieving resources pointed to by the links, embedding resources pointed to by the links in-line with other data in the request/response traffic, and forwarding the request/response traffic after embedding. As Lippert et al. and Carlino fail to teach or suggest each of the claimed limitations the rejections of claims 14 and 18-21 must fail. The Applicants respectfully request these rejections be withdrawn and the claims reconsidered.

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would

Serial No. 09/835,872
Reply to Office Action of April 26, 2005

expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

July 21, 2005



Michael C. Martensen, No. 46,901
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(719) 448-5910 Tel
(303) 899-7333 Fax